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Notice of Allowability	Application No.	Applicant(s)	
	10/824,693	BLEASE ET AL.	
	Examiner	Art Unit	
	Helene Klemanski	1755	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed November 2, 2005.
2. ☒ The allowed claim(s) is/are 1-44.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

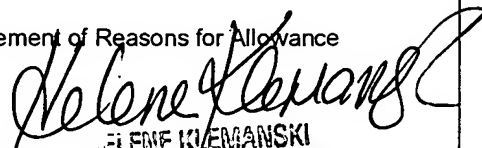
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>9/8/05</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|--|---|


 HELENE KLEMANSKI
 PRIMARY EXAMINER
 GROUP 1100

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claim 1, the seventh line after the formula (I), the term "R8" has been replaced with the term "R₈".

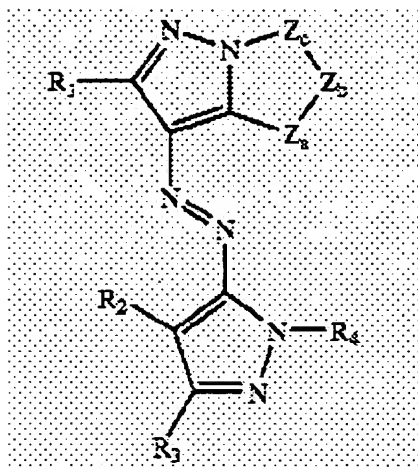
In claim 26, line 1, the phrase "currently amended" has been replaced with the term "original".

The above amendments were made to overcome informalities in the claims to make them allowable.

Reasons For Allowance

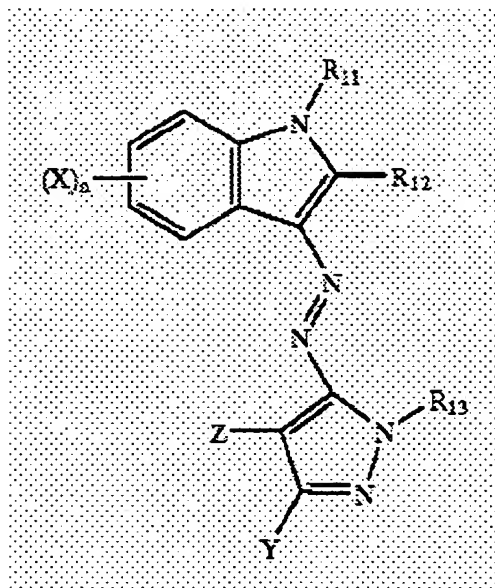
The following is an examiner's statement of reasons for allowance: This application teaches an ink jet ink set comprising a cyan ink comprising a carrier and a sulfonated copper phthalocyanine dye; a magenta ink comprising a carrier and an anthrapyridone magenta dye, a metal complex magenta dye or azo-naphthol derivative dye or mixtures thereof; a yellow ink comprising a carrier an azo pyrazoleazole yellow dye of the formulas

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wherein R_1 represents H, a cyano group, an alkyl group, a cycloalkyl group, an aralkyl group, an aryl group, an alkylthio group, an arylthio group, an acyl group, a carboxyl group, a carbamoyl group or a heterocyclic group; Z_a is NH; Z_b is $C(R_8)$; Z_c is $N=$; R_8 represents H, an alkyl group, an alkenyl group, an alkynyl group, an aryl group or a heterocyclic group; R_2 represents H, an alkyl group, an aryl group, a halogen, a cyano group, a carboxyl group, an acyl group, a carbamoyl group, a nitro group, an alkyl or aryl sulfone group, a sulfonic acid group, a primary or secondary alkyl sulfonamide group, an aryl sulfonamide group or a heteroaryl group; R_3 is H or any non-metallic group; R_4 is H, an alkyl group, a cycloalkyl group, an alkenyl group, an aralkyl group, an alkynyl group, an aryl group, a heterocyclic group, a urethane, a sulfoalkyl or sulfoaryl group; or a pyrazoleazoindole yellow dye of the formula

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wherein R_{11} and R_{13} each independently represents H, C_{1-6} alkyl group, an allyl group, C_{6-10} aryl group, C_{5-10} heteroaryl group or polyoxyethylene group of 2-20 alkylene oxide residues; R_{12} , X and Y each independently represents H, C_{1-6} alkyl group, an allyl group, C_{6-10} aryl group, C_{5-10} heteroaryl group, a halogen, a cyano group, etc.; n represents an integer from 1-4 and Z represents a cyano group, a carboxy group, a sulfo group, an alkoxycarbonyl group, a carbamoyl group, a sulfamoyl group etc.; with the proviso that the above yellow dyes must contain at least one group capable of imparting water solubility at a pH of about 4-9 and may contain a counterion, or mixtures of the above yellow dyes and a black ink comprising a carrier and a metal complex black dye. The closest prior art of record is U.S. Patent No. 6,855,195, issued to Nishita et al., which teaches similar ink jet ink sets comprising a cyan ink, a magenta ink, a yellow ink and a black ink but fail to teach or fairly suggest that the yellow ink contains the above yellow dyes as claimed by applicants or the black ink contains the black dyes as claimed by applicants. Newly cited U.S. Patent Application Publication

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2005/0087100 issued to Blease et al. teach a similar ink jet ink set comprising a cyan ink, a magenta ink, a yellow ink and a black ink but fail to teach or fairly suggest that the yellow ink contains an azo pyrazoleazole or pyrazoleazoindole yellow dye or mixtures thereof as claimed by applicants. Accordingly, this application is allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

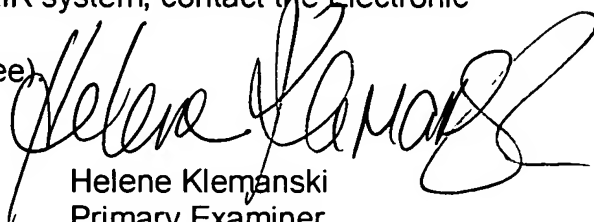
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene Klemanski whose telephone number is (571) 272-1370. The examiner can normally be reached on Monday-Friday 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry Lorengo can be reached on (571) 272-1233. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Helene Klemanski
Primary Examiner
Art Unit 1755



HK
November 15, 2005